

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

SUSANNA MIRKIN and BORIS MIRKIN,  
Individually and on Behalf of All Others  
Similarly Situated,

Plaintiffs,

v.

XOOM ENERGY, LLC and XOOM  
ENERGY NEW YORK, LLC,

Defendants.

No. 18 Civ. 2949 (ARR) (JAM)

**ORAL ARGUMENT REQUESTED**

**NOTICE OF XOOM'S MOTION FOR RECONSIDERATION  
OF CONTINUED CLASS TREATMENT**

**PLEASE TAKE NOTICE** that, upon Defendants' Memorandum of Law in Support of Motion For Reconsideration of Continued Class Treatment, Defendants XOOM Energy, LLC and XOOM Energy New York, LLC move the Court to reconsider its Order on Continued Class Treatment entered December 16, 2024, Doc. 276.

Dated: December 30, 2024

MCDOWELL HETHERINGTON LLP

/s/ Michael D. Matthews, Jr

Michael D. Matthews, Jr.

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*Attorneys for Defendants XOOM Energy, LLC and  
XOOM Energy New York, LLC*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing has been served on the 30th day of December, 2024, via CM/ECF on all counsel of record.

/s/Michael D. Matthews, Jr.  
Michael D. Matthews, Jr.